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29683 7590 11/13/2008 HARRINGTON & SMITH, PC 4 RESEARCH DRIVE, Suite 202 SHELTON, CT 06484-6212			EXAMINER VETTER, DANIEL	
			ART UNIT 3628	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/759,331	<b>Applicant(s)</b> SMITH ET AL.	
	<b>Examiner</b> DANIEL P. VETTER	<b>Art Unit</b> 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9-17 and 19-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-7,9-17 and 19-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

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## **DETAILED ACTION**

### ***Status of the Claims***

1. Claims 1, 3-7, 9-17, and 19-33 were previously pending in this application. Claims 16 and 30 were amended in the reply filed August 29, 2008. Claims 1, 3-7, 9-17, and 19-33 are currently pending in this application.

### ***Response to Arguments***

2. Applicant's amendments to claims 16 and 30 overcome the rejection made under § 112, first paragraph, and it is withdrawn.

3. Applicant's arguments filed with respect to the rejections made under § 103(a) have been fully considered but they are not persuasive. Applicant argues that the references are deficient to teach a voting tool that enables participants to vote on trip destination or trip dates. However, that the tool enables trip participants to vote on destination or dates is merely the intended use of the voting tool. Stanfield's generic voting tool would allow for such matters to be voted upon. It is also not clear if the specific information voted upon has any functional relationship with the substrate tools, and therefore the patentable weight afforded to these limitations is not the same as if actual voting on these specific matters was positively recited.

Nevertheless, Floss has been cited to show that it is old and well-known in the art of travel reservations that decisions must be made for a group regarding trip destinations or trip dates (Abstract). Floss is not relied upon to disclose a voting tool. Stanfield teaches a voting tool already incorporated into a reservation system (¶ 0022). Substituting destinations or dates for the generic matters voted upon in Stanfield's reservation system voting tool would have been obvious to one skilled in the art at the time of invention. Applicant's arguments are against the references individually, rather than their combined teaching and the articulated reasons for obviousness set forth in the previous Office Action mailed July 28, 2008. One cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. *In re*

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*Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The substitution of destination or dates into the voting tool would have been a simple matter of routine engineering, and would lead to the predictable result of a broader voting tool and a recognizably more robust system overall. Accordingly, the rejections are maintained.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 3-5, 7, 9, 10, 12-16, 19-20, 23-27, and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eizenburg, et al., U.S. Pat. Pub. No. 2002/0026336 (Reference A of the PTO-892 part of paper no. 20070425) in view of Tso, U.S. Pat. Pub. No. 2001/0049637 (Reference B of the PTO-892 part of paper no. 20070425), Stanfield, U.S. Pat. Pub. No. 2002/0069093 (Reference C of the PTO-892 part of paper no. 20070425), and Floss, et al., U.S. Pat. Pub. No. 2002/0147619 (Reference A of the attached PTO-892).

6. As per claim 1, Eizenburg teaches a method to organize a trip, comprising: at a travel service site, establishing a homepage for a trip (Abstract); and making at least travel arrangements related to the trip by using tools provided to the potential trip participants at the trip homepage (¶ 0016). Eizenburg does not teach sending an electronic notification to potential trip participants from the travel service site for informing them of the existence of the trip homepage, and where one of said travel tools enables trip participants to vote on at least one matter related to the travel arrangements. Tso teaches sending an electronic notification to potential trip participants from the travel

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service site for informing them of the existence of the trip homepage (§§ 0023, 0093). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Tso into the method taught by Eizenburg in order to eliminate the need to manually coordinate invitations (as taught by Tso; ¶ 0003). Stanfield teaches where one of said travel tools enables trip participants to vote on at least one matter related to travel arrangements (¶ 0022). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Stanfield into the method taught by Eizenburg in view of Tso in order to conveniently conduct polling for pre-travel business within the reservation system (as taught by Stanfield; ¶ 0022). Stanfield does not explicitly teach that the matters involved are at least of trip destination or trip dates; which is taught by Floss (Abstract). Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is, in the substitution of the trip destination or trip dates in Floss for the travel matters voted upon in Stanfield. Both share similar characteristics and must be decided by a group before travel in accordance with the group's preferences. It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate at least of trip destination or trip dates because it is merely the simple substitution of one known element for another that could be implemented through routine engineering producing predictable results.

7. As per claim 3, Eizenburg in view of Tso, Stanfield, and Floss teaches the method of claim 1 as described above. Tso further teaches sending an electronic notification includes sending a link to the homepage (¶ 0084). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Tso in order to contact the server to bring up the desired page (as taught by Tso; ¶ 0084).

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8. As per claim 4, Eizenburg in view of Tso, Stanfield, and Floss teaches the method of claim 1 as described above. Eizenburg further teaches travel arrangements comprise arranging payment for the trip (§ 0027).
9. As per claim 5, Eizenburg in view of Tso, Stanfield, and Floss teaches the method of claim 1 as described above. Eizenburg further teaches travel arrangements comprise arranging accommodations during the trip (§ 0027).
10. As per claim 7, Eizenburg teaches a method to provide a group travel service over the Internet, comprising: at a travel service site, establishing a homepage for a group trip by a group leader (Abstract) and making travel arrangements related to the group trip by using tools provided to the potential trip participants at the group trip homepage (§ 0016). Eizenburg does not teach the group trip leader identifying at least email addresses of potential group trip participants, and automatically contacting the potential group trip participants from the travel service site for providing them with a link to the group trip homepage, and where one of said travel tools enables trip participants to vote on at least one matter related to the travel arrangements. Tso teaches the group trip leader identifying at least email addresses of potential group trip participants (§§ 0007, 0023), and automatically contacting the potential group trip participants from the travel service site for providing them with a link to the group trip homepage (§ 0023). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Tso into the method taught by Eizenburg in order to eliminate the need to manually coordinate invitations (as taught by Tso; § 0003). Stanfield teaches where one of said travel tools enables trip participants to vote on at least one matter related to the travel arrangements (§ 0022). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Stanfield into the method taught by Eizenburg in view of Tso in order to conveniently conduct polling for pre-travel business within the reservation system (as taught by Stanfield; § 0022). Stanfield does not explicitly teach that the matters involved are at least of trip destination or trip

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dates; which is taught by Floss (Abstract). Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is, in the substitution of the trip destination or trip dates in Floss for the travel matters voted upon in Stanfield. Both share similar characteristics and must be decided by a group before travel in accordance with the group's preferences. It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate voting on at least of trip destination or trip dates because it is merely the simple substitution of one known element for another that could be implemented through routine engineering producing predictable results.

11. As per claim 9, Eizenburg in view of Tso, Stanfield, and Floss teaches the method of claim 7 as described above. Eizenburg further teaches travel arrangements comprise arranging payment for the trip (§ 0027).

12. As per claim 10, Eizenburg in view of Tso, Stanfield, and Floss teaches the method of claim 7 as described above. Eizenburg further teaches travel arrangements comprise arranging accommodations during the trip (§ 0027).

13. As per claim 12, Eizenburg in view of Tso, Stanfield, and Floss teaches the method of claim 7 as described above. Eizenburg further teaches enabling a member of the public to learn of the existence of the group trip, and join the group trip as a group trip participant (§ 0064).

14. As per claim 13, Eizenburg in view of Tso, Stanfield, and Floss teaches the method of claim 7 as described above. Tso further teaches establishing a travel log album for the trip, and giving group trip participants access to the travel log album (§ 0067). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Tso to set up a previous event information page where users share photographs and present them along with other information on the event (as taught by Tso; § 0066).

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15. As per claim 14, Eizenburg in view of Tso, Stanfield, and Floss teaches the method of claim 7 as described above. Tso further teaches establishing a travel log album for the trip (§ 0067), and giving both group trip participants and members of the public access to the travel log album (§ 0068). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Tso into the method taught by Eizenburg in view of Tso and Stanfield to set up a previous event information page where users can view photographs along with other information on the event (as taught by Tso; § 0066).

16. As per claim 15, Eizenburg in view of Tso, Stanfield, and Floss teaches the method of claim 14 as described above. Tso further teaches at least group trip participants are enabled to upload photographs to the travel log album (§ 0071), and where group trip participants and members of the public are enabled to download photographs from the travel log album (§ 0071). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Tso so that users can acquire high resolution copies of event images (as taught by Tso; § 0072).

17. As per claim 16, Eizenburg teaches a system operable to provide a group travel service over the Internet, comprising an interface to the Internet and a server executing software for implementing the group travel service (§ 0009), said server being bidirectionally coupled to the Internet via said interface (§§ 0009, 0022); said server being further configured to respond to potential group trip participants accessing the group trip homepage to make travel arrangements related to the group trip by using tools provided to the potential trip participants at the group trip homepage (Abstract), said travel arrangements comprising at least one of arranging payment for the trip and arranging accommodations during the trip (§ 0027). Eizenburg does not teach the server is configured to respond to a group trip leader identifying contact information for potential group trip participants to automatically contact the potential group trip participants for providing them with a link to a group trip homepage, and where one of said travel



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tools enables trip participants to vote on at least one matter related to the travel arrangements. Tso teaches the server is configured to respond to a group trip leader identifying contact information for potential group trip participants to automatically contact the potential group trip participants for providing them with a link to a group trip homepage (§§ 0007, 0023). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Tso into the system taught by Eizenburg in order to eliminate the need to manually coordinate invitations (as taught by Tso; § 0003). Stanfield teaches where one of said travel tools enables trip participants to vote on at least one of trip destination and trip dates (§ 0022). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Stanfield into the system taught by Eizenburg in view of Tso in order to conveniently conduct polling for pre-travel business within the reservation system (as taught by Stanfield; § 0022). Stanfield does not explicitly teach that the matters involved are at least of trip destination or trip dates; which is taught by Floss (Abstract). Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is, in the substitution of the trip destination or trip dates in Floss for the travel matters voted upon in Stanfield. Both share similar characteristics and must be decided by a group before travel in accordance with the group's preferences. It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate voting on at least of trip destination or trip dates because it is merely the simple substitution of one known element for another that could be implemented through routine engineering producing predictable results.

18. As per claim 19, Eizenburg in view of Tso, Stanfield, and Floss teaches the system of claim 16 as described above. Eizenburg further teaches establishing a travel service homepage for enabling a member of the public to

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learn of the existence of the group trip, and to join the group trip as a group trip participant using at least the group trip homepage (§ 0064).

19. As per claim 20, Eizenburg in view of Tso, Stanfield, and Floss teaches the system of claim 16 as described above. Tso further teaches establishing a travel log album for the trip at the travel service site (§ 0067), and providing both group trip participants and members of the public access to the travel log album (§ 0068), where at least group trip participants are enabled to upload photographs to the travel log album (§ 0071), and where group trip participants and members of the public are enabled to download photographs from the travel log album (§ 0071). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Tso to set up a previous event information page where users can view photographs along with other information on the event (as taught by Tso; § 0066) and so that users can acquire high resolution copies of event images (as taught by Tso; § 0072).

20. As per claim 23, Eizenburg in view of Tso, Stanfield, and Floss teaches the system of claim 16 as described above. Tso further teaches a tool enabling group trip participants to post messages to a group message board (§ 0091). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Tso so that users can comment on content posted by others (as taught by Tso; § 0091).

21. As per claim 24, Eizenburg in view of Tso, Stanfield, and Floss teaches the system of claim 16 as described above. Eizenburg further teaches a tool enabling tracking of group trip participants with respect to at least one or more of participation response, payment status, flight itinerary and number, seat assignment, hotel accommodation and room assignment (§ 0073).

22. As per claim 25, Eizenburg in view of Tso, Stanfield, and Floss teaches the system of claim 16 as described above. Eizenburg further teaches a tool enabling tracking of a group trip participant's personal itinerary, where access to

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the group trip participant's personal itinerary is granted only to that group trip participant (§ 0075).

23. As per claim 26, Eizenburg in view of Tso, Stanfield, and Floss teaches the system of claim 16 as described above. Eizenburg further teaches a tool enabling a group trip participant to establish a public profile that is viewable by other group trip participants (§§ 0061-62).

24. As per claim 27, Eizenburg in view of Tso, Stanfield, and Floss teaches the system of claim 16 as described above. Eizenburg further teaches a tool enabling at least the group trip leader to post at least one of documents and hyperlinks related to the trip (§ 0090).

25. As per claim 30, Eizenburg teaches a system operable to provide a group travel service over the Internet, comprising an interface to the Internet and a server executing software for implementing the group travel service (§ 0009), said server being bidirectionally coupled to the Internet via said interface (§§ 0009, 0022), said server being further configured to provide at least one tool at the group trip homepage to respond to potential group trip participants accessing the group trip homepage to become group trip participants (§ 0074), further comprising a tool configured to at least track responses of individual group trip participants including mode of travel related information and hotel accommodation related information enabling a plurality of group trip participants to coordinate the booking of flights, seating and hotel rooms (§§ 0073, 0084). Eizenburg does not explicitly teach the server is configured to contact potential group trip participants to provide a link to a group trip homepage; which is taught by Tso (§§ 0084, 0093). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Tso into the method taught by Eizenburg in order to eliminate the need to manually coordinate invitations (as taught by Tso; § 0003). Eizenburg in view of Tso does not teach a tool configured to enable trip participants to electronically vote on at least one matter related to the travel arrangements; which is taught by Stanfield (§ 0022). It would have been prima facie obvious to one having

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ordinary skill in the art at the time of invention to incorporate the above teachings of Stanfield into the system taught by Eizenburg in view of Tso in order to conveniently conduct polling for pre-travel business within the reservation system (as taught by Stanfield; ¶ 0022). Stanfield does not explicitly teach that the matters involved are at least of trip destination or trip dates; which is taught by Floss (Abstract). Since each individual element and its function are shown in the prior art, albeit shown in separate references, the difference between the claimed subject matter and the prior art rests not on any individual element or function but in the very combination itself—that is, in the substitution of the trip destination or trip dates in Floss for the travel matters voted upon in Stanfield. Both share similar characteristics and must be decided by a group before travel in accordance with the group's preferences. It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate voting on at least of trip destination or trip dates because it is merely the simple substitution of one known element for another that could be implemented through routine engineering producing predictable results.

26. As per claim 31, Eizenburg in view of Tso, Stanfield, and Floss teaches the system of claim 30 as described above. Stanfield further teaches the tool configured to enable trip participants to electronically vote on trip matters (¶ 0022, as set forth above), but does not explicitly teach that the matter is a choice of hotel. Floss further teaches that a choice of hotel is another matter to be determined by a travel group (¶ 0069). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to substitute voting on a choice of hotel rather than the travel matters taught by Stanfield for the reasons set forth above with respect to base claim 30.

27. As per claim 32, Eizenburg in view of Tso, Stanfield, and Floss teaches the system of claim 30 as described above. Eizenburg further teaches said group trip homepage is initially established by a group trip leader using at least one other tool provided by said server for customizing a homepage provided by the server (¶¶ 0028, 0035). Tso further teaches the group trip leader provides

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electronic mail contact information for the potential group trip participants to enable them to be contacted (§ 0059). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Tso in order to eliminate the need to manually coordinate invitations (as taught by Tso; § 0003).

28. As per claim 33, Eizenburg in view of Tso, Stanfield, and Floss teaches the system of claim 30 as described above. Eizenburg further teaches another tool enables a group trip participant to establish a public profile that is viewable by other group trip participants (§§ 0061-62).

29. Claims 6, 11, 17, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eizenburg, et al. in view of Tso, Stanfield, and Floss, et al. as applied to claims 1, 7, and 16 above, in further view of the SODA '99 Form (Reference U of the PTO-892 part of paper no. 20071004).

30. As per claims 6, 11, and 17, Eizenburg in view of Tso, Stanfield, and Floss teaches the methods of claims 1 and 7 and the system of claim 16 as described above. Eizenburg in view of Tso, Stanfield, and Floss does not explicitly teach the travel arrangements further comprise determining which trip participants will share lodging accommodations during the trip; which is taught by SODA '99 Form. It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of SODA '99 Form so that trip participants can reduce expenses (as taught by SODA '99 Form).

31. As per claim 28, Eizenburg in view of Tso, Stanfield, and Floss teaches the system of claim 16 as described above. Eizenburg in view of Tso, Stanfield, and Floss does not teach a tool enabling group trip participants to determine those group trip participants that will share a hotel room, said room sharing tool creating lists and enabling group trip participants to select at least one roommate by entering their name in one of the lists; which is taught by SODA '99 Form. It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of SODA '99 Form so that

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trip participants can reduce expenses (as taught by SODA '99 Form). SODA '99 does not explicitly dictate that the lists are organized by room, however this is a mere choice of arrangement of the data contained on the list. Arranging a list of potential roommates by hotel room is a predictably successful expedient to a reader of a list of shared roommates, and would be readily apparent to a skilled artisan upon a reading of the applied references. "[I]t is proper to take into account not only specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom." *Preda*, 401 F.2d at 826. Moreover, there are only a finite number of ways to arrange such data (i.e., by name, room, gender, etc.), so it would have been obvious to incorporate any one of these solutions.

32. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eizenburg, et al. in view of Tso, Stanfield, and Floss, et al. as applied to claim 16 above, in further view of Walker, et al., U.S. Pat. Pub. No. 2003/0064807 (Reference C of the PTO-892 part of paper no. 20071004).

33. As per claim 21, Eizenburg in view of Tso, Stanfield, and Floss teaches the system of claim 16 as described above. Eizenburg in view of Tso, Stanfield, and Floss does not teach where said tool that enables participants to vote allows group participants to vote on whether to allow a proposed group participant to join the group; which is taught by Walker (¶ 0132). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Walker so that current group members have an opportunity to approve a new member (as taught by Walker; ¶ 0132). Eizenburg further teaches the participants are trip participants (Abstract).

34. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eizenburg, et al. in view of Tso, Stanfield, and Floss, et al. as applied to claim 16 above, in further view of Vogt, et al., U.S. Pat. Pub. No. 2003/0028595 (Reference D of the PTO-892 part of paper no. 20071004).

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35. As per claim 22, Eizenburg in view of Tso, Stanfield, and Floss teaches the system of claim 16 as described above. Eizenburg in view of Tso, Stanfield, and Floss does not explicitly teach the group trip leader determines at least one of a duration of a particular voting-related ballot, a subject of a voting-related ballot, and whether a simple majority is sufficient to win a ballot, and where a vote cast by a group trip participant is selectively one of kept secret or made public; which is taught by Vogt, (¶ 0052). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Vogt to provide for anonymous responses to a poll instituted to gather the opinions of the group (as taught by Vogt; ¶ 0052).

36. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eizenburg, et al. in view of Tso, Stanfield, and Floss, et al. as applied to claim 16 above, in further view of Vogt, et al. and SODA '99 Form.

37. As per claim 29, Eizenburg in view of Tso, Stanfield, and Floss teaches the system of claim 16 as described above. Eizenburg in view of Tso, Stanfield, and Floss does not teach a tool enabling a group trip participant to invite another group trip participant to share a hotel room, where the invited group trip participant is enabled to accept or reject the invitation. Vogt teaches a tool enabling a group trip participant to invite another group trip participant to share a venture, where the invited group trip participant is enabled to accept or reject the invitation (¶ 0054). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Vogt to conveniently receive an answer from a invitee via a link to a web page with a just a button click (as taught by Vogt; ¶ 0054). Vogt does not explicitly teach the venture is a stay in a hotel room; which is taught by SODA '99 Form. It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of SODA '99 Form so that trip participants can reduce expenses (as taught by SODA '99 Form).

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***Conclusion***

38. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

39. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANIEL P. VETTER whose telephone number is (571)270-1366. The examiner can normally be reached on Monday through Thursday from 8am to 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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